

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JOHN B GIBSON

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DATE: 02/22/05      TIME: 8:30      DEPT: B1P  
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CASE #: BG BS00361

CASE NAME: TODD HINES JR

HEARING:

Hearing Re: STATUS REPORT AND/OR ACCOUNTING.

COUNSEL:

DAWN HINES  
TODD HINES JR

(PET)...JOHN F WEBER  
(MIN)...

GENERAL INFORMATION: continued from 1/18/05 at request of counsel

THIS CASE IS SET FOR HEARING ON status/accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE  
NOTED:

1. Still no status report or accounting has been filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall cause notice to be given to conservator or guardian and attorney. The court shall set the accounting for hearing within 60 days. Failure to file an accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr.C. § 2620.2.

CIVCAL4

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HONORABLE JUDGE JOHN B GIBSON

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DATE: 02/22/05      TIME: 8:30      DEPT: B1P  
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CASE #: BG BS00406

CASE NAME: TANO A, JALEN, & TAUALA ALAPATI

HEARING:

Petition for Appointment of Guardian

COUNSEL:

SASUALEI T ALAPATI	(PET)...PRO/PER
JOAN S ALAPATI	(PET)...PRO/PER
TANO A S ALAPATI	(MIN)...
JALEN J ALAPATI	(MIN)...
TAUALA T ALAPATI	(MIN)...

GENERAL INFORMATION: On 1/18/05 the Court referred matter to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by paternal grandparents, minors 7, 6 & 1

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. The petition must be completed for sections 2 through 18 for each minor. Here the petition is completed through section 11 for the minor Jalen and is not completed at all for the minor Tauala.
2. Parents have signed consent and waiver.
3. The confidential screening form of Joan Alapati is not completed from section 9-19. File a completed form.
4. Need Court Investigator's report.

RECOMMENDATION:

None.

CIVCAL4

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DATE: 02/22/05      TIME: 8:30      DEPT: B1P  
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CASE #: BG BS00410

CASE NAME: TIQORA T WYNN PRYOR

HEARING:

Petition for Appointment of Guardian

COUNSEL:

DORIS PRYOR                      (PET)...PRO/PER  
TIQORA T WYNN PRYOR              (MIN)...

GENERAL INFORMATION: Temporary letters issued 12/23/04. Court referred matter to Court Investigator.

THIS CASE IS ON FOR HEARING ON Petition for guardianship, person only, by paternal great grandmother, minor 3

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Father has signed nomination, waiver & consent.
2. Court has dispensed notice to mother. Does court wish to require due diligence?
3. Need notice of hearing and proof of mailed service to Court Investigator
4. Need Court Investigator's report.

RECOMMENDATION:

None.

CIVCAL4

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DATE: 02/22/05      TIME: 8:30    DEPT: B1P  
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CASE #: BPRBS00529

CASE NAME: GENEVA TAYLOR

HEARING:  
Hearing re Final Discharge

COUNSEL:

JAMES LOREN TAYLOR	(PET)...	RALPH F GEORGE JR.
GENEVA TAYLOR	(DEC)...	
BESSIE NEILSEN	(PLA)...	PRO/PER
SUZANNE ANDREWS	(PLA)...	STANLEY W HODGE
NEVA WILLENE HOLT-GRAVES	(PLA)...	STANLEY W HODGE
BESSIE NEILSEN	(ANY)...	PRO/PER
SUZANNE ANDREWS	(STANLEY W HODGE	)...STANLEY W
NEVA WILLENE HOLT-GRAVES	(STANLEY W HODGE	)...STANLEY W
ROBERT NIELSEN	(STANLEY W HODGE	)...STANLEY W
JAMES LOREN TAYLOR	(RALPH F GEORGE JR.	)...RALPH F G

GENERAL INFORMATION: The final accounting and petition for final distribution was granted on 3/9/04. However, no order has been submitted.

THIS CASE IS SET FOR HEARING ON final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. No receipts/final discharge has been filed.

RECOMMENDATION:

Suggest Court set matter for O.S.C. re failure to file documents. Issue citation and have it personally served on the administrator.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JOHN B GIBSON

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DATE: 02/22/05      TIME: 8:30      DEPT: B1P  
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CASE #: BPRBS00738

CASE NAME: MADELINE GERTRUDE SERLES

HEARING:

Petition for DETERMINE IF PETITION VIOLATES TRUST

COUNSEL:

TAMMI SERLES                      (PET)...HARRY A WALLACE

MADELINE GERTRUDE SERLES      (DEC)...

KIMBERLY HOLGREM                      (OBJ)...CALDWELL, KENNEDY & PORTER

GENERAL INFORMATION: On 9/7/04, the court ordered that the research attorney was to review file for purposes of reviewing the accounting only. Matter again continued from 10/5/-4 for the completion of the accounting and status report. Nothing new has been filed other than a petition to determine beneficiaries which was heard on 11/30/04. The notes below relate to the accounting.

**Continued from 12/14/04 & 1/25/05 at request of counsel.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. A response to probate notes is filed by Attorney Kennedy and satisfies the list of persons entitled to notice.
2. File notice of hearing and proof of service on persons entitled to notice in accord with Pr.C. § 17203. **A response to probate notes is filed indicating a notice of hearing was filed with the court on 9/14/04.** (The notice was filed referencing a 10/5/04 hearing date. Does the Court wish to require a notice on the continuance of these hearings?)
3. A supplement has been filed showing that the trust is out of balance by \$461.28. Petitioner alleges that Tammi Serles was the bookkeeper for the trust from 1997 through 2000 and has not provided all of the necessary information.
4. There appears to be a dispute between petitioner, Serles, and trustee Holgrem as to the value of some of the assets. I do not find formal

objections in the file. **A response to probate notes is filed alleging that on 6/4/04 counsel for trustee Holgrem received a fax document entitled Objections to First Account and Report of Trustee prepared and served by attorney Harry Wallace, counsel for Tammi Serles. This documents has not been filed with the court.**

5. Trustee also alleges that Serles paid herself \$70-\$100 per month for her bookkeeping. Trustee alleges that she does not have the records for this. Trustee indicates that there was a disbursement of \$7,455.48 made on 9-20-97 when Serles was the bookkeeper. Trustee indicates that no records have been made available to her concerning this withdrawal.

**RECOMMENDATION:**

Court needs to order Serles to file formal objections. We only have the statement of the trustee as to what Serles is apparently objecting to.

Superior Court of Calif, County of San Bernardino

Page: 6

CIVCAL4

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HONORABLE JUDGE JOHN B GIBSON

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DATE: 02/22/05      TIME: 8:30      DEPT: B1P  
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CASE #: BPRBS00806

CASE NAME: DELMER HAGER

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MARY ANNE MOORE      (PET)...GREGORY L ZUMBRUNN  
DELMER HAGER      (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Final Inventory & Appraisal filed 1/27/05

RECOMMENDATION:

Matter may go off calendar.

CIVCAL4

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HONORABLE JUDGE JOHN B GIBSON

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DATE: 02/22/05      TIME: 8:30      DEPT: B1P  
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CASE #: BPRBS00850

CASE NAME: CORNELIA KELDRAUK

HEARING:

Petition to determine succession to Real Property

COUNSEL:

MARY C TALLEY      (PET)...MERELE DAVID CHAPMAN  
CORNELIA KELDRAUK      (DEC)...

GENERAL INFORMATION: continued from 1/4/05

THIS CASE IS SET FOR HEARING ON Petition to determine succession to real property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE  
NOTED:

1. Still need to file notice of hearing and proof of service

RECOMMENDATION:

Recommended for approval subject to number 1.



CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER KIRTLAND L MAHLUM

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DATE: 02/22/05      TIME: 9:00    DEPT: B3  
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CASE #: BG BS00404

CASE NAME: MATTER OF SARA ANN PARKHURST

HEARING:

OSC re: APPOINTMENT OF GUARDIAN/INVEST. REPORT

COUNSEL:

JEFFREY L UPPERMAN      (PET)...CALDWELL, KENNEDY & PORTER  
GAIL A UPPERMAN      (PET)...CALDWELL, KENNEDY & PORTER  
SARA ANN PARKHURST      (MIN)...

GENERAL INFORMATION: Temporary letters issued 11/3/04. On 1/24/05, Court makes interim orders pending this hearing. Mother may have supervised visitations on Sundays from 12:00 pm to 2:00 pm in the guardian's home so long as mother behaves. If mother makes any inappropriate comments, etc., the guardians may ask her to leave their home and the remainder of that visitation will be terminated. If mother is more than 15 minutes late for visitation, that visitation will be terminated.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by non-relatives (caregivers), minor 12

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Petitioners not related to minor. Need D.C.S. report.
2. Mother is apparently objecting. There are no written objections in the file.
3. Matter referred to Court Investigator. We are awaiting report.
4. Court may wish to review confidential screening form.
5. File notice of hearing and proof of personal service on mother on permanent guardianship (only notice on temporary guardianship previously given).
6. Minor has signed waiver & consent.
7. File notice of hearing and proof of mailed service on paternal grandparents and maternal grandfather and Court Investigator. Declaration filed by petitioners as to paternal grandparents alleging paternal grandparents

names/whereabouts are unknown. Petitioners allege they have telephoned the mother for this information, but no information has been received. Judge to decide if notice to paternal grandparents should be dispensed with.

8. Need Court Investigator's report.

RECOMMENDATION:

None.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER KIRTLAND L MAHLUM

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DATE: 02/22/05      TIME: 9:00      DEPT: B3  
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CASE #: BG BS00408

CASE NAME: WILLIAM C & TAKAI D HARRISON

HEARING:  
PETITION FOR APPOINTMENT OF GUARDIAN

COUNSEL:

TENNYSON D GRANT	(PET)...PRO/PER
KATRINA C GRANT	(PET)...PRO/PER
WILLIAM C HARRISON	(MIN)...
TAKAI D HARRISON	(MIN)...

GENERAL INFORMATION: Temporary letters issued 12/9/04.  
Continued from 1/3/05

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by brother and sister-in-law, minors 17 and 17

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. File notice of hearing and proof of personal service on father or due diligence declaration.
2. File notice of hearing and proof of mailed service on paternal grandparents and Court Investigator or due diligence declaration.
3. There are persons listed under section 18 of the petition as "maternal" brothers and sisters. I am not sure what that means. Are they brothers and sisters of the mother or are they ½ siblings of the minors. If they are siblings of the minors we have waivers of notice from all but Lloyd Grant. We would need a proof of mailed service on him if he is a sibling of the minors. If they are aunts and uncles, they need not be given notice.

RECOMMENDATION:  
None.

CIVCAL4

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HONORABLE COMMISSIONER KIRTLAND L MAHLUM

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DATE: 02/22/05      TIME: 9:00    DEPT: B3P  
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CASE #: BC BS00063

CASE NAME: MATTER OF DOROTHY MARIE PARKER

HEARING:  
OSC re: CONTEMPT

COUNSEL:  
PAULA L MAYER                      (PET)...  
DOROTHY MARIE PARKER            (CPE)...  
DEL ROSA VILLA INC                (TP )...TYLER & WILSON

GENERAL INFORMATION: Petitioner failed to file an accounting as ordered. Counsel withdrew as counsel of record due to lack of cooperation by the conservator. Court set the matter of O.S.C. re: contempt. Matter has been continued from 10/18/04, 11/22/04 & 1/3/05

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1.      No accounting filed
2.      Matter is still out for service of citation.

RECOMMENDATION:

Once the conservator is served, the court may wish to set the matter for O.S.C. re removal. That does not have to be personally served. However, the bonding company must be noticed. See green tab in file.

CIVCAL4

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HONORABLE COMMISSIONER KIRTLAND L MAHLUM

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DATE: 02/22/05      TIME: 9:30      DEPT: B3P  
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CASE #: BPRBS00775

CASE NAME: TODD ALLEN HINES

HEARING:  
Accounting Review

	COUNSEL:
DAWN HINES	(PET)...JOHN F WEBER
TODD ALLEN HINES	(DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Waiver of Account and petition for final distribution.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Need to file Notice of Hearing and proof of service.
2. All heirs have waived the accounting.
3. Petitioner waives statutory commission.
4. Attorney requests statutory fees of \$5,155.28. Ok.
5. Petitioner alleges that petitioner's attorney failed to notice there should have been a bond for the appraised value of the Morgan Stanley Account (valued at \$18,509.33). This asset will be distributed ½ to petitioner as the surviving spouse and ½ to petitioner as guardian of the Estate of Todd Hines, Jr. Petitioner further alleges, as guardian, she is currently bonded in the amount of \$120,000. After receipt of the distribution, petitioner's attorney will make application to the court for an order increasing bond to a sufficient amount. There does not appear to have been any loss to the estate as a result of the failure to file bond.

#### RECOMMENDATION:

Recommended for approval subject to 1. Once approved, set hearing on final discharge for 2/24/06.